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Message Text

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FM SECSTATE WASHDC
TO AMEMBASSY BERN

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EXCON

E.O. 11652:N/A

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SUBJECT:REVISED EXPORT CONTROL REGULATIONS FOR GENERAL AVIATION

REF: BERN 2953

1. MAY 26, 1976 PRESIDENT FORD ANNOUNCED TO US GENERAL AVIATION MANUFACTURERS ASSOCIATION (GAMA) TWO CHANGES IN EXCON REGULATIONS THAT LIBERALIZED EXPORTS OF GENERAL AVIATION TYPE AIRCRAFT. PRESIDENT STATED FIRST, (QUOTE) "ALL DEPARTMENT OF COMMERCE EXPORT LICENSE REQUIREMENTS WILL BE ELIMINATED EFFECTIVE TODAY (26 MAY 1976) FOR GENERAL AVIATION AIRCRAFT INCORPORATING ONLY STANDARD COMMUNICATIONS EQUIPMENT AND DESTINED TO MOST NATIONS" (END QUOTE) AND SECOND (QUOTE) "EXPORTERS OF AIRCRAFT WITH MORE SOPHISTICATED ELECTRONICS EQUIPMENT WILL BE ABLE TO OBTAIN LARGE VOLUME DISTRIBUTION LICENSES FOR NON-

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MILITARY AIRCRAFT DESIGNED TO CARRY NO MORE THAN 25

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PERSONS INCLUDING CREW. THE DISTRIBUTION LICENSES WILL PERMIT EXPORTERS TO SHIP PRODUCTS FREELY TO NAMED DISTRIBUTERS IN MOST NON-COMMUNIST NATIONS" (END QUOTE).

2. EXPORT ADMINISTRATION BULLETIN NO. 156 OF MAY 27 DESCRIBED THE TWO CHANGES IN PARA. 1 IN DETAIL. FIRST, CCL NUMBER 734(8)G IS CHANGED ONLY INSOFAR AS INTERPRETATION 20 OF PART 399.2 HAS BEEN MODIFIED. THE MODIFICATION OCCURS THEREIN IN PART (B) NORMAL CIVIL USE SUB ITEM (4) AIRBORNE COMMUNICATIONS EQUIPMENT QUOTE (III) INCORPORATING FACILITIES FOR (A) THE RAPID SELECTION OF MORE THAN 200 CHANNELS PER EQUIPMENT, EXCEPT EQUIPMENT OPERATING IN THE FREQUENCY RANGE: 108-136 MHZ WITH 720 OR FEWER CHANNELS AT NOT LESS THAN 25 KHZ SPACING AND WHICH HAS BEEN IN NORMAL CIVIL USE FOR AT LEAST ONE YEAR, OR (B) USING FREQUENCY SYSTHESIS TECHNIQUES WITH A SPEED OF SWITCHING FROM ONE SELECTED OUTPUT FREQUENCY TO ANOTHER SELECTED OUTPUT FREQUENCY LESS THAN 50 MILLISECONDS. END QUOTE. IT WILL BE RECALLED THAT AIRCRAFT DESCRIBED IN INTERPRETATION 20 REQUIRE VALIDATED LICENSES TO ALL DESTINATIONS.

3. THE OTHER CHANGE IN THE REGULATIONS IS THAT GENERAL AVIATION AIRCRAFT, I.E. "NON-MILITARY AIRCRAFT DESIGNED TO CARRY A MAXIMUM OF 25 PERSONS, INCLUDING CREW" MAY BE EXPORTED UNDER THE TERMS OF ONE OF THE BULK LICENSING ARRANGEMENTS, THE DISTRIBUTION LICENSE "EAR 373.3 TO ALL NORMALLY ELIGIBLE COUNTRIES, EXCEPT LIBYA, REPUBLIC OF SOUTH AFRICA, NAMIBIA (SOUTH WEST AFRICA) GABON ANGOLA, ALGERIA, EGYPT, IRAG, SUDAN, SYRIA, YEMEN (ADEN) AND YEMEN (SANAA). THE CHANGE IN THE REGULATIONS MEANS THAT AIRCRAFT NOT CAUGHT BY 734(8) BUT UNDER OTHER ENTRIES SUCH AS 734(1) AND (2), SO LONG AS THEY MEET THE ABOVE DEFINITION, CAN BE INCLUDED UNDER THE DISTRIBUTION LICENSE PROCEDURE, EXCEPT FOR THE PROSCRIBED COUNTRIES UPON APPLICATION AND SUPPLY OF PROPER DOCUMENTATION AND APPROVAL THEREOF BY COMMERCE. SINCE ALL TYPES OF AIRCRAFT HAVE BEEN EXCLUDED FROM THE DISTRIBUTION LICENSE SINCE ITS INCEPTION, THIS MODIFICATION SHOULD ALSO EXPEDITE EXPORTS OF GENERAL AVIATION AIRCRAFT.

4. AIRCRAFT ELIGIBLE FOR REEXPORT UNDER NEW TERMS FOR G UNCLASSIFIED

DEST PER PARA TWO ABOVE MAY BE SO REEXPORTED EVEN THOUGH THEY ARRIVE IN SWITZERLAND UNDER A VALIDATED LICENSE. HOWEVER, EXPORTERS WILL HAVE TO BE VERY CAREFUL TO ENSURE THAT AIRCRAFT ARE THUS ELIGIBLE, THAT IS THEY DO NOT CARRY THE TYPE OF AVIONICS OR ARE OTHERWISE INELIGIBLE UNDER INTERPRETATION 20. ATTENTION MUST ALSO BE GIVEN TO THE PROSCRIBED COUNTRIES. (THE ISSUE OF US AIRCRAFT BEING REEXPORTED TO SOUTHERN RHODESIA, FOR EXAMPLE, IS AS THE

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EMBASSY KNOWS A VERY SENSITIVE ONE FOR THE USG. THE
OTHER PROSCRIPTIONS REFLECT OTHER SENSITIVE AREAS.)
5. FYI: COMMERCE KNOWS OF NO SWISS DISTRIBUTORS
THAT WOULD BE AFFECTED BY CHANGES DESCRIBED IN PARA. 3. ROBINSON

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